

*** NOT FOR PUBLICATION ***

NO. 24661

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

HARRY FERGERSTROM, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(REPORT NO. G-47034, et al.)

SUMMARY DISPOSITION ORDER

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Defendant-appellant Harry Fergerstrom (Fegerstrom) appeals from the October 2, 2003¹ judgment of the district court of the third circuit, the Honorable Sandra P. Schutte presiding, convicting him of and sentencing him for: (1) driving without a license (ten violations), in violation of Hawai'i Revised Statutes (HRS) § 286-102 (1993 & Supp. 2003); (2) no safety check (nine violations), in violation of HRS § 286-25 (1993); (3) delinquent motor vehicle tax (eight violations), in violation of HRS § 249-2 (2001); (4) no no-fault insurance (ten violations), in violation of HRS § 431:10C-104 (Supp. 2003); and (5) criminal contempt of court (twelve violations), in violation of HRS § 710-1077 (1993). On appeal, Fergerstrom argues that the district court erred when it denied his motion to dismiss the charges against him for lack of jurisdiction.

Upon carefully reviewing the record and the briefs submitted and having given due consideration to the issues raised

¹ On August 15, 2001, Fergerstrom was found guilty on all charges, and was subsequently sentenced on September 28, 2001. The district court, however, failed to enter a written judgment. As such, on September 30, 2003, this court temporarily remanded the case to the district court for the sole purpose of entering a written judgment on Fergerstrom's conviction.

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and arguments advanced, we hold that the district court properly exercised jurisdiction over Fergerstrom. See State v. Jim, 80 Hawai'i 168, 907 P.2d 754 (1995); State v. Lorenzo, 77 Hawai'i 219, 883 P.2d 641 (App. 1994); HRS § 603-21.5(a)(1) (Supp. 2002); HRS § 701-106(a) (1993). Therefore,

IT IS HEREBY ORDERED that the district court's October 2, 2003 judgment, from which the appeal is taken, is affirmed.

DATED: Honolulu, Hawai'i, April 21, 2004.

On the briefs:

Harry Eliason,
for the defendant-appellant
Harry Fergerstrom

Mary Ann J. Holzl-Davis,
Deputy Prosecuting Attorney,
for the plaintiff-appellee
State of Hawai'i